



**DEPARTMENT OF THE NAVY**  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE EAST  
4911 SOUTH BROAD STREET  
PHILADELPHIA, PA 19112-1303

5720  
Ser BPMOE/19-116  
April 2, 2019

Mr. Justin Arenas  
Law Offices of John K. Dema  
1236 Strand Street, Suite 103  
Christiansted, St. Croix  
U.S. Virgin Island 00820-5008

Dear Mr. Arenas:

This responds to your Freedom of Information Act (FOIA) request of February 5, 2019 in which you seek the following:

1. All U.S. Department of Defense documents and/or data regarding AFFF use, storage and disposal, and related perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) contamination, at the Puerto Rico Naval Activity installation.
2. All U.S. Department of Defense documents and/or data regarding AFFF use, storage and disposal, and related perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) contamination, at the San Juan Puerto Rico Marine Corps Recruiting Command installation.
3. All U.S. Department of Defense documents and/or data regarding AFFF use, storage and disposal, and related perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) contamination, at the Rico Munoz International Airport installation.
4. All U.S. Department of Defense documents and/or data regarding AFFF use, storage and disposal, and related perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) contamination, at other current or former Department of Defense installations located in Puerto Rico.

Your request was referred to this office on February 27, 2019 for response to item (1) of your request, and was assigned file number DON-NAVY-2019-004217.

At this time, we are unable to provide an estimate of when your request will be completed because of uncertainty regarding the type and number of records that may be responsive, and the need to consult with another agency which has substantial subject matter interest in the release determination of identified response records. The Navy is continuing to process your request and a date for a response will be provided by April 30, 2019.

In view of the above, you may consider this to be an adverse determination that may be appealed. Since you have created an account in FOIA online, you may submit an appeal directly within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information

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from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

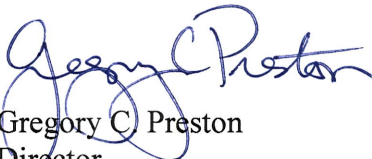
The Department of the Navy  
Office of the General Counsel (ATTN: FOIA APPEALS)  
1000 Navy Pentagon, Room 5A532  
Washington, DC 20350-1000

Your appeal, if any, must be transmitted (if appealing by FOIA ONLINE) or postmarked (if appealing by mail) within 90 calendar days from the date of this letter. Please be advised that a FOIA requester has the burden of proving timely submission of an appeal. Additionally, you must include in your appeal a statement indicating why you believe your appeal should be granted, and you are encouraged to also include a copy of your initial request and a copy of this letter.

You may modify your request to allow this agency to complete its processing in an alternative time frame. To discuss this option or for any further assistance regarding any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.A.Julka@navy.mil or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-01, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Any questions concerning this matter should be directed to Mr. David Barclift who may be contacted at david.barclift@navy.mil or 215-897-4913.

Sincerely,

  
Gregory C. Preston  
Director